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## REGION 2 NEWS

### Bronx Times: CB 10 and City Island residents want flooding in PB Park fixed

For years flooding has plagued roadways in Pelham Bay Park, yet still the Department of Transportation has not fixed the streets.

### Brooklyn Paper: GOWANUS REZONING OPPONENTS LAWYER UP FOR POTENTIAL LEGAL CHALLENGE

Opponents of the city's Gowanus rezoning lawyered up to potentially challenge the neighborhood-wide land use proposal in court, advocates announced Tuesday.

### Insider NJ: LEADING POLITICAL ENVIRONMENTAL GROUP CONGRATULATES ASSEMBLYMAN KENNEDY ON NEW ROLE AS CHAIR OF ASSEMBLY ENVIRONMENT COMMITTEE

TRENTON – The following statement is from Ed Potosnak, Executive Director, New Jersey League of Conservation Voters, congratulating Assemblyman Jim Kennedy in his new role as chair of the Assembly Environment and Solid Waste Committee.

### My Twin Tiers: State Senate passes 'Environmental Bill of Rights'

ALBANY, N.Y. (NEWS10) — The New York State Senate passed an amendment to the state Constitution aimed at enshrining rights to clean air and fresh water. The amendment—S528—adds the following language to Article 1 of the Constitution: “Each person shall have a right to clean air and water, and a healthful environment.”

### Niagara Frontier Publications: EPA invites 55 new projects to apply for WIFIA loans to improve water quality

The U.S. Environmental Protection Agency (EPA) announced 55 new projects in 20 states are being invited to apply for approximately \$5.1 billion in Water Infrastructure Finance and Innovation Act (WIFIA) loans. This funding will help finance over \$12 billion in clean water and drinking water infrastructure projects to protect public health and improve water quality in communities across the U.S.

### Riverhead Local: Suffolk County Water Authority to Navy: We're 'ready, willing and able' to serve homes south of former Grumman site affected by contamination

The Suffolk County Water Authority has notified the U.S. Navy that it stands “ready, willing and able” to provide water to 128 homes in the Calverton and Manorville communities whose private wells are threatened by PFAS contamination.

### WOP Mag: NEW YORK SCHOOL SEES ELEVATED LEAD LEVELS IN 7% OF DRINKING WATER SOURCES

The Fort Edward Union Free School District in Fort Edward, New York had elevated lead levels in 7% of the drinking water sources tested in November. The district sent samples of 128 sources of water back in November to the Capital Region Environmental Laboratory and received the results back on Dec. 3, reported the Post Star.

## NATIONAL

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### Agriculture

[DRG News: EPA announces multi-million-dollar initiative dedicated to sustainable pest control in agriculture](#)

[Yall Politics: EPA Administrator talks Yazoo pumps, agriculture pest control in Mississippi visit](#)

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[WJTV: Conservation groups file lawsuit over Yazoo Backwater Pumps Project](#)

Bronx Times

<https://www.bxtimes.com/cb-10-and-city-island-residents-want-flooding-in-pb-park-fixed/>

# **CB 10 and City Island residents want flooding in PB Park fixed**

By Jason Cohen

January 11, 2021



For years flooding has plagued roadways in Pelham Bay Park, yet still the Department of Transportation has not fixed the streets.

In early 2020 before the pandemic arrived, John Doyle, president of City Island Rising, testified at an open senate hearing in the state budget about flooding on numerous roads in Pelham Bay Park and City Island. While he understands COVID-19 has wreaked havoc, this was not the first time this issue was dressed.



Three years ago, several City Island residents sent a letter to the DOT, Parks and Department of Environmental Protection (DEP) addressing their concerns about the flooding. The roads referenced were: the on/off ramps off of the Hutchinson River Parkway (Exit 5) and Shore Road, City Island Road and Shore Road, Park Drive

between Orchard Beach Road and City Island Road and City Island Road between Shore Road and Rodman's Neck Circle.

"In recent years, a great deal of attention has focused on the condition and irrigation of Shore Road within Pelham Bay Park however there are also many additional drainage problems within the Park that have yet to be addressed," they said in the letter in 2018. "These problems create dangerous roadway conditions from hydroplaning in more temperate months to dangerous ice conditions during the winter season that can lead to deadly automobile crashes. Indeed, it is not uncommon to see large and potentially perilous pools of water along the roadway after even minor rainfall."

The entrance to Orchard Beach at Park Drive between Orchard Beach Road and City Island Road has become such a hazard that Doyle has dubbed it "Lake Orchard." He noted that it floods often and to "fix" it the city puts cones around the water.



Will it take an accident for the city to take action, he said. This is unacceptable.

Like many things in the Bronx, this feels like something that would not be ignored in other boroughs, he stressed. In the winter the potholes get worse as they freeze over.

Doyle pointed out that the flooding must be fixed as City Island and Pelham Bay Park are listed as Zone 1 Evacuation Zones by NYC Emergency Management, which indicate both areas are at high risk in a natural disaster.

"These kinds of conditions would never be tolerated in Manhattan," he said. "I think the roadway is poorly constructed."

District Manager of Community Board 10 Matt Cruz shares his sentiments. Cruz said the DOT had a site visit for "Lake Orchard" in September, yet nothing has been done.

Cruz explained that typically DOT says they lack funding for this project and it would take years to repair.

"We definitely want to see it fixed," he said. "Ponding issues are prevalent throughout the district. It seems like the city never wants to dedicate resources to it."

A DOT spokesman said it has completed a few interim repairs of potholes and roadway defects, however a long-term solution for this flooded roadway will need to be coordinated with its partner agencies, Parks and DEP.

## GOWANUS REZONING OPPONENTS LAWYER UP FOR POTENTIAL LEGAL CHALLENGE

Kevin Duggan

January 12, 2021

Opponents of the city's Gowanus rezoning lawyered up to potentially challenge the neighborhood-wide land use proposal in court, advocates announced Tuesday.

"We intend to fight this proposal tooth and nail to make sure the very serious health and safety concerns, the economic and social justice concerns that we have are heard and that the city cannot move forward with this immensely misguided plan," said Jack Riccobono, of the anti-rezoning group Voice of Gowanus, at a Jan. 12 press conference at the Carroll Street Bridge.

As the Department of City Planning plans to certify the rezoning proposal on Jan. 19, officially launching the seven to nine month Uniform Land Use Review Procedure, Voice of Gowanus has hired land use attorney Jason Zakai, who said the city must shelve the scheme.

"There are serious problems both with the massive rezoning proposal itself, and with the lack of transparency concerning the proposal, and we are looking into all legal options on behalf of our client," Zakai said in a statement. "Rather than move forward with such a problematic plan, the City should go back to the drawing board and shelve it for another day."

Zakai and his employer — law firm Hiller PC, which on Twitter bills itself as "protectors of the little guy" — previously worked on behalf of homeless shelter residents in Manhattan's Lucerne Hotel, successfully getting a judge to temporarily block the city's efforts to move the unhoused out.

Fellow activist and avid canoer of the Gowanus, Brad Vogel, declined to say what legal angle the group will pursue or whether they'll file for a lawsuit before or after the rezoning's certification next week.

"Our legal strategy will be revealed in due course," Vogel told Brooklyn Paper.

The years-in-the-works proposal by the city would allow high-rise residential development in the mostly low-strung manufacturing neighborhood along the Gowanus Canal.

The city estimates the rezoning will bring 8,000 new homes to Gowanus by 2035 — 3,000 of which will be earmarked as "affordable" units tied to residents' income levels — with new towers rising up to 22-30 stories in height.

Vogel has criticized the city for holding meetings about the rezoning on Zoom amid the COVID-19 pandemic, saying officials used the web-conferencing platform to control and muzzle critics of the plans, and that virtual meetings didn't cut it for such a large-scale scheme.

Others cited concerns of environmental safety of building along the noxious canal, especially the fully-affordable housing site at Public Place, which is slated for a heavily-polluted former gas manufacturing site.

The group gained the support of Alicia Boyd, a high-profile activist who has sued the city to halt the controversial high-rises at 960 Franklin Ave. in Crown Heights, who said the courts were the only avenue left.

"This is what happens, we have to fight it in the courts because our elected officials no longer representing us, they're representing big state real estate," Boyd said at the Tuesday rally.

The federal Environmental Protection Agency in November started the first phase of cleaning up the heavily-polluted waterway as part of its Superfund program, which is slated to take roughly a decade to complete.

In response to Tuesday's rally, DCP spokesman Joe Marvilli said the rezoning will provide more affordable housing, open space, and a cleaner canal, among other benefits for the neighborhood.

"The Gowanus Neighborhood Plan will bring permanently affordable housing, a cleaner Canal, infrastructure investments, new jobs, open space and more," Marvilli said in a statement. "We look forward to advancing this plan to increase equity and opportunity for all New Yorkers, keeping Gowanus creative and eclectic while also making it more affordable, greener and more vibrant."

Insider NJ

<https://www.insidernj.com/press-release/leading-political-environmental-group-congratulates-assemblyman-kennedy-new-role-chair-assembly-environment-committee/>

## **LEADING POLITICAL ENVIRONMENTAL GROUP CONGRATULATES ASSEMBLYMAN KENNEDY ON NEW ROLE AS CHAIR OF ASSEMBLY ENVIRONMENT COMMITTEE**

January 12, 2021

TRENTON – The following statement is from Ed Potosnak, Executive Director, New Jersey League of Conservation Voters, congratulating Assemblyman Jim Kennedy in his new role as chair of the Assembly Environment and Solid Waste Committee.

“We congratulate Assemblyman Kennedy on his appointment to Chair of the Assembly Environment and Solid Waste Committee. He has a pro-conservation track record on our Legislative Scorecard and is a champion for the environment,” said **Ed Potosnak, Executive Director, New Jersey LCV**. “We look forward to continuing to work with Chairman Kennedy on critical legislation to address climate change, advance environmental justice, and protecting clean drinking water through chemical safety reforms like restricting the use of bee-killing pesticides. We also want to thank Assemblywoman Nancy Pinkin for her leadership of the committee over the past three years, where she shepherded some of the strongest environmental actions in the country as part of New Jersey LCV legislative priorities, like the nation-leading single-use bag ban and promoting electric buses and cars.”

## My Twin Tiers

<https://www.mytwintiers.com/news-cat/regional-news-news/state-senate-passes-environmental-bill-of-rights/>

### State Senate passes 'Environmental Bill of Rights'

Johan Sheridan

January 12, 2021

ALBANY, N.Y. (NEWS10) — The New York State Senate passed an amendment to the state Constitution aimed at enshrining rights to clean air and fresh water. The amendment—[S528](#)—adds the following language to Article 1 of the Constitution:

“Each person shall have a right to clean air and water, and a healthful environment.”

Sen. Robert Jackson, the lead sponsor behind the measure, said, “This language will finally put in place safeguards that require the government to consider the environment and our relationship to the Earth in decision making. If the government fails in that responsibility, New Yorkers will finally have the right to take legal action for a clean environment because it will be in the State Constitution.”

This amendment should push leaders and administrators to more seriously weigh ecological considerations and the public good. According to the nonprofit group Environmental Advocates NY, the amendment also represents a weapon against racism and wealth inequality. Data routinely shows how the harm from practices like pollution disproportionately affects low-income communities and communities of color.

The same measure previously passed both houses of the state legislature in 2019. Now, it must pass both the Assembly before being voted on by the general public in November. In the past, the diverse advocacy groups—like the AFL-CIO, the League of Women Voters, and Citizen Action of New York—have thrown their support behind the Environmental Bill of Rights.

In 2019, a [diverse coalition signed a letter](#) saying that amending the amendment would “prevent situations or conditions in which water becomes too polluted, air too dirty, land too contaminated, and natural landscapes too decimated to support healthy lives, including a healthy economy.”

Though 43 states include environmental values in their constitutions, only Montana and Pennsylvania protect the environment as an inalienable right on par with other political and civil liberties. If ultimately enacted, the “Environmental Bill of Rights” would make New York the third state to enshrine such protections.

Peter M. Iwanowicz, executive director of Environmental Advocates NY, said, “Every New Yorker—regardless of the color of their skin, where they live, or how much money they have—has the right to clean air and clean water. That this basic truth does not appear in our Constitution is an omission we correct this year.”

## Niagara Frontier Publications

<https://www.wnypapers.com/news/article/current/2021/01/12/144806/epa-invites-55-new-projects-to-apply-for-wifia-loans-to-improve-water-quality>

### EPA invites 55 new projects to apply for WIFIA loans to improve water quality

January 12, 2021

***Projects will provide water infrastructure upgrades for 30 million Americans while creating 40,000 jobs***

The U.S. Environmental Protection Agency (EPA) announced 55 new projects in 20 states are being invited to apply for approximately \$5.1 billion in Water Infrastructure Finance and Innovation Act (WIFIA) loans. This funding will help finance over \$12 billion in clean water and drinking water infrastructure projects to protect public health and improve water quality in communities across the U.S.

In New York, \$24 million is earmarked for the Erie County Water Authority strategic plan improvements project.

“EPA built one of the greatest financing tools for investing in America’s water infrastructure in history when it stood up the WIFIA program in 2018,” EPA Administrator Andrew Wheeler said. “These 55 new projects will facilitate \$12 billion in water infrastructure to help address some of the most pressing challenges faced by water systems across this country.”

Since the first WIFIA loan closed in 2018, EPA has announced 41 WIFIA loans that are providing \$7.8 billion in credit assistance to help finance \$16.8 billion for water infrastructure while creating more than 38,800 jobs and saving ratepayers \$3.7 billion. EPA received 67 letters of interest from both public and private entities in response to the 2020 WIFIA notice of funding availability (NOFA). After a robust statutorily required review process, the WIFIA selection committee chose 55 prospective borrowers' projects to submit applications for loans and placed three prospective borrowers on a waitlist.

The WIFIA program is expanding its geographic scope by inviting entities from Alabama, Iowa, Ohio, Texas and West Virginia for the first time. Four prospective borrowers that submitted letters of interest in response to a previous WIFIA NOFA resubmitted them for 2020 and have been invited to proceed in the 2020 funding round. Seven borrowers who have already received a WIFIA loan or are in the process of closing a loan have been invited to apply for additional financing. This action complements EPA November 2020 announcement that California, Iowa and Rhode Island were invited to apply for a total of \$695 million in loans through EPA's new state infrastructure financing authority WIFIA (SWIFIA) program.



## Riverhead Local

<https://riverheadlocal.com/2021/01/12/suffolk-county-water-authority-to-navy-were-ready-willing-and-able-to-serve-homes-south-of-former-grumman-site-affected-by-contamination/>

### **Suffolk County Water Authority to Navy: We're 'ready, willing and able' to serve homes south of former Grumman site affected by contamination**

Denise Civiletti

January 12, 2021

The Suffolk County Water Authority has notified the U.S. Navy that it stands "ready, willing and able" to provide water to 128 homes in the Calverton and Manorville communities whose private wells are threatened by PFAS contamination.

SCWA chief executive officer Jeffrey Szabo wrote to the secretary of the Navy today to say the water authority is prepared to run a water main to serve the homes in question.

"The Suffolk County Water Authority is in the best position to do that quickly and efficiently," Szabo said in an interview this afternoon.

"It's an issue we've been discussing with residents and elected officials for the past year," Szabo said.

After those discussions became public, the Riverhead Town Board last February authorized the preparation of a map and plan for a [Riverhead Water District extension](#) to serve the Manorville-Calverton area. The water district's consulting engineer provided the map and plan to the town in October, but it has not been acted on. Without funding from the federal or state government, the town water district extension remains cost-prohibitive.

"We were working with the state, hoping to secure a grant to pay for it. There hasn't been a new round of funding," he said. The COVID crisis had severe impacts on state finances and Szabo said he's not sure there will be funding available through the state in the near future.

"We're hoping that Sen. Schumer, as the new Senate majority leader, will be able to expedite funding," he said. [Schumer has demanded](#) the Navy fund public water to the area.

Riverhead Supervisor Yvette Aguiar said last month [the town is considering suing the Navy](#) to pay for the water district extension.

Meanwhile, the Suffolk County Department of Health Services has been testing private residential wells in the area and has found some contaminated with PFAS at levels above the recently adopted New York State drinking water standard.

Navy representatives, in community meetings, have said the Navy is subject only to more lenient EPA or Department of Defense standards for the contaminant in drinking water.

In November, the Navy released data showing, for the first time, it was aware of [significant detections of PFAS](#) at the southern border of the former Grumman aerospace manufacturing site.

Detection of the chemicals at the southern boundary of the site is significant, because it supports the position of elected officials, environmental advocates and community members that the chemicals could migrate offsite and pose a risk to private drinking water wells in the area and the Peconic River. The Navy has not publicly acknowledged responsibility for any off-site contamination.

The Navy leased the site to Northrop Grumman beginning in 1954. Grumman installed electronic systems, tested engines, fueled and prepared jets, and trained personnel to respond to crashes. Grumman used spent fuel and waste solvents to feed simulated air crashes fires at the fire training area on the site. It is one of several areas that were subject to environmental remediation after Northrop Grumman vacated the site in 1996.

Federal court documents in a lawsuit between Northrop Grumman and its liability insurance carriers indicate that the company was aware of contamination of groundwater and a threat to the Peconic River and private wells in the area as early as the mid-1980s.

The Navy in 2008 asked the Department of Justice to bring a lawsuit against Northrop Grumman to recover damages to cover the cost of environmental cleanup, according to an October 2013 decision by the federal

district court judge in the insurance litigation. The Navy at that time put the price tag for cleanup at more than \$21 million. That figure did not include the cost of bringing public water to any affected homes.

There is no record of any action having ever been brought by the Navy against Northrop Grumman for damages due to contamination of soil and water in Calverton. In response to an inquiry into the current status of the matter, a Navy spokesperson said today “the Navy cannot comment on pending or contemplated litigation.”

Szabo said today about half the homes in the area of concern are located in the town of Brookhaven and half are in Riverhead.

The water authority estimates the cost of the water main extension and private line hookups to be slightly over \$12 million.

Manorville resident Kelly McClinchy, who has been an outspoken advocate for public water in the area, said she is glad the water authority’s plan includes all 128 homes in the sample area as well as the private service hookups.

“The costs associated with an extension due to contamination should not be at the residents’ expense,”

McClinchy said. “We didn’t create this situation. No one should have to forego having clean water because they cannot afford to pay hook-ups or fees,” she said.

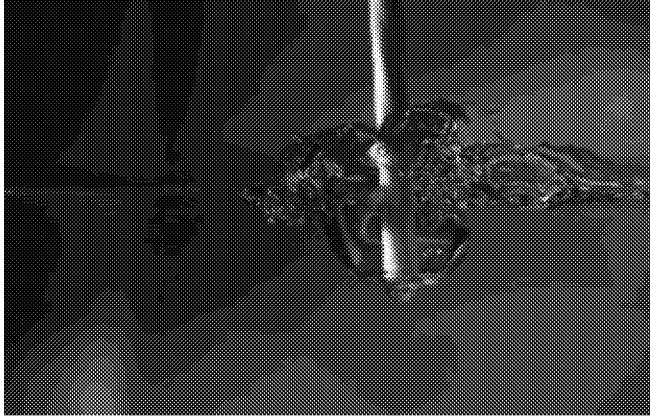
“The residents have waited so long for this already, and we are anxiously awaiting the day we can turn on our water faucets and not worry anymore.”

## **NEW YORK SCHOOL SEES ELEVATED LEAD LEVELS IN 7% OF DRINKING WATER SOURCES**

CRISTINA TUSER

January 12, 2021

The district sent samples of 128 sources of water back in November.



The Fort Edward Union Free School District in Fort Edward, New York had elevated lead levels in 7% of the drinking water sources tested in November.

The district sent samples of 128 sources of water back in November to the Capital Region Environmental Laboratory and received the results back on Dec. 3, [reported the Post Star](#).

Of the sources tested, nine sources were found to exceed the U.S. EPA and New York State Department of Health limit of 15 ppb, according to a letter from Superintendent of Schools Dan Ward, reported the Post Star. As a result the outlets that had the elevated levels were removed from service unless needed for hand washing. The locations that had the elevated levels were: one classroom faucet in, two water fountains in the vicinity, the sink in the girls' locker room and three sinks and two water sprayers in the home and careers room.

“While we know that this information may cause you some concern, we are taking the necessary steps to address the situation and confirm the safety of water throughout the school,” added Ward in the letter. “There is nothing that we take more seriously than the well-being of our students and staff.”

School officials will work to determine the source of lead and resolve the issue.

Schools in the state are required to test water sources for lead after legislation in 2016. Though districts could obtain a waiver to skip the requirement because of the COVID-19 pandemic, Fort Edward completed the testing on schedule.

The water outlets that were below the limit remain in service.

**Stephen McBay**

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